

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Danie  
 Application No.: 09/402,820  
 Filed: October 12, 1999  
 For: RECOMBINANT ANTIBODIES SPECIFIC FOR BETA-AMYLOID ENDS, DNA ...

Art Unit: 1645  
 Examiner: P. Duffy  
 Washington, D.C.  
 Atty.'s Docket: CHAIN=1B  
 Date: October 23, 2001

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231

Sir:

Transmitted herewith is an [X] Amendment in the above-identified application.

[XX] Small entity status of this application under 37 CFR 1.9 and 1.27 has been previously established.

[ ] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[ ] No additional fee is required.

[XX] The fee has been calculated as shown below:

|   | (Col. 1)                                  |       | (Col. 2)                              | (Col. 3)                   |
|---|---|-------|---------------------------------------|----------------------------|
|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |       | HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA<br>EQUALS |
| TOTAL                                     | *   | MINUS | ** 31                                 |                            |
| INDEP.                                    | *   | MINUS | *** 4                                 |                            |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |   |       |                                       |                            |

| SMALL ENTITY         |                   |
|----------------------|-------------------|
| RATE                 | ADDITIONAL<br>FEE |
| x 9                  | \$ .00            |
| x 39                 | \$ .00            |
| + 130                | \$                |
| ADDITIONAL FEE TOTAL |                   |
|                      | \$ .00            |

| OTHER THAN SMALL ENTITY |                   |
|-------------------------|-------------------|
| RATE                    | ADDITIONAL<br>FEE |
| x 18                    | \$                |
| x 78                    | \$                |
| + 260                   | \$                |
| TOTAL                   |                   |
|                         | \$                |

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity  
 Response Filed Within  
 [ ] First - \$ 55.00  
 [XX] Second - \$ 200.00  
 [ ] Third - \$ 470.00  
 [ ] Fourth - \$ 720.00  
 Month After Time Period Set

Other Than Small Entity  
 Response Filed Within  
 [ ] First - \$ 110.00  
 [ ] Second - \$ 400.00  
 [ ] Third - \$ 920.00  
 [ ] Fourth - \$ 1440.00  
 Month After Time Period Set

[ ] Less fees (\$ ) already paid for month(s) extension of time on .

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$ .

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$200.00.

[ ] A check in the amount of \$ is attached (check no. ).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

10/24/2001 SDIRETA1 00000042 09402820

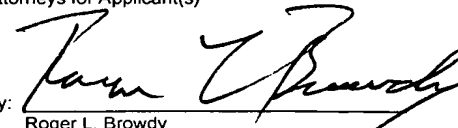
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BROWDY AND NEIMARK

Attorneys for Applicant(s)

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 Roger L. Browdy  
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Daniel G. CHAIN ) Examiner: P. Duffy  
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For: RECOMBINANT ANTIBODIES )  
SPECIFIC FOR BETA-AMYLOID )  
ENDS, DNA ENCODING ... )

**AMENDMENT**

Honorable Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action of May 23, 2001,  
petition for a two-month extension of time and payment being  
attached hereto, please amend as follows:

IN THE CLAIMS

Please delete claims 1-13, 15-22 and 26-31 without  
prejudice toward the continuation of prosecution thereof in a  
continuing application.

Please rewrite claims 14 and 23-25 in amended form  
as follows:

14 (Amended). A monoclonal antibody which is free-  
end specific for the free N-terminus of an amyloid  $\beta$ -peptide,

B1